

**MINUTES
CITY OF CANANDAIGUA
PLANNING COMMISSION**

August 13, 2019

PRESENT: Chairman Torsten Rhode
Vice Chairman Stanley Taylor
Commissioner Jeff Ayers
Commissioner Anne Beyer

Commissioner Adrienne Kantz
Commissioner Guy Turchetti

ABSENT: Commissioner Lindsay Pennise

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

CALL TO ORDER

Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

APPROVAL OF MINUTES:

Chairman Rhode asked if anyone had any additions or corrections to the July 9, 2019 Meeting Minutes. Vice Chairman Taylor moved to approve the minutes as submitted. Commissioner Beyer seconded the motion, which carried by unanimous voice vote (6-0).

REVIEW OF APPLICATIONS

ITEM 1 (Public Hearing) Application #19-202: 26 Coach Street, RONALD REASON, for a Special Use Permit, to operate an eating and drinking establishment within the existing structure.

Ron Reason represented the application. He currently has a purchase offer on the former *Farmer's Inn*. He is aware there are structural problems with the roof of the building and is prepared to make the necessary repairs. He also proposes to paint the exterior and install awnings. He intends to remodel the interior and install cameras inside and out. He will be partnering with Joe Cato of *Casa de Pasta* to provide barbecue for his restaurant. He stated it will be “nothing like it used to be”.

Chairman Rhode opened the public hearing.

Todd Henderson owns the property next door at 32 Coach Street. He feels this proposal will allow the same type of “traffic” that was attracted previously.

Mr. Henderson also expressed his concerns over the existing dumpster. It is accessed through his property where trash frequently falls out. If approved, he is requesting that a fence be installed to block the view and access to the dumpster from his property.

Mr. Reason pointed out that the former *Farmer's Inn* existed prior to Mr. Henderson purchasing the property next door. He then said that the dumpster belongs to *Casa de Pasta* and is only on the property because there is no place for it on Bemis Street where that restaurant is located. He agreed to install a fence, however.

Chairman Rhode asked if there were any other members of the public wishing to speak. Hearing none, he closed the public hearing.

Vice Chairman Taylor feels that a site plan is needed. He wishes to see more details including plans for the exterior changes to the building and a detailed landscaping plan. He also would like to see more details about the operation, such as hours and music.

Chairman Rhode spoke about the higher standards asked of other applicants in the neighborhood. More detailed plans have been required including details about parking, outside lighting and dumpster location and screening. He also would like to have pictures of the proposed awnings, as well as details of the fence.

Vice Chairman Taylor asked if Mr. Reason had any connections with the former *Farmer's Inn*. He also asked about a plan for supervision. Mr. Reason said that he worked there two nights per week approximately eight years ago and was a friend of the former owner. Mr. Reason feels that the previous business was poorly run by kids and was a "free-for-all". He plans to run the new establishment with more professionalism.

Chairman Rhode asked about exterior lighting. Mr. Reason stated there would be plenty of lighting. Chairman Rhode expressed the need for specific lighting plans showing the consideration of light spillage on to nearby properties.

Chairman Rhode asked Mr. Brown about parking requirements for that area. Mr. Brown stated that the municipal parking lot across the street meets the requirement.

Commissioner Ayers asked about any plans for an outside area for patrons. Mr. Reason answered no, although he would not have control over smoking outside. Mr. Brown asked if there would be any outdoor tables. Mr. Reason stated there would be none.

Vice Chair Taylor inquired about the occupancy and a description of the plans for the exterior. Mr. Reason believes the occupancy is 84. He is proposing to paint the building dark gray with black awnings. Commissioner Beyer confirmed that the existing siding is vinyl. Mr. Reason said he is a painting contractor and he knows how to properly paint vinyl siding.

Commissioner Ayers asked about the hours of operation. Mr. Reason spoke of being open from 11:00 a.m. to 1 a.m. every day except Saturday, on which he would remain open until 2 a.m.

Commissioner Turchetti asked about signage. Mr. Reason explained that he is planning to use the existing sign board, although the name would be changed. Mr. Brown reminded him that he would need to return to the Planning Commission for approval of the new design.

Chairman Rhode asked if there were any additional comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission **Table** the application as submitted and presented to allow the applicant to produce additional information requested by the board:

1. Site plan to include landscaping plans, exterior lighting plan, dumpster placement and screening, and the proposed fence location and design.
2. Changes to the exterior of building: paint and awnings
3. Use description including food service, hours of operation, etc.
4. Signage

Commissioner Turchetti seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	ABSENT
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

ITEM 2 **Application #19-215: 233 South Main Street, SALON EFX, for a Historic Alteration to replace wall sign and window signs.**

Jason Carello and Jennifer Rogers, owners of 233 South Main Street, represented the application. They have purchased the building and plan to open a new salon in the location formerly known as *Le Salon*. They are requesting wall and window signs. Currently, that location does not have a wall sign, only window signage.

Vice Chairman Taylor feels that the location of the wall sign should be symmetrical with the existing *Scherer Stove* sign that is also on the façade. Ms. Rogers explained that they chose the location for the sign in order to center it above their entrance door. Mr. Brown described the building as divided into thirds. *Scherer Stove* occupies one-third of the building, while the salon will occupy two-thirds. The proposed sign would be centered on the two-thirds portion.

Vice Chair Taylor would like to see the sign moved left (north) to be an identical distance from the left side of the façade, as the *Scherer Stove* sign is from the right. This would mean the middle portion of the façade would remain empty.

Chairman Rhode asked if the height of the sign could be made identical to the height of the *Scherer Stove* sign. Mr. Carello agreed.

Mr. Brown asked if the bottoms of both signs would be aligned. Mr. Carello agreed.

Vice Chairman Taylor asked if the existing signage in the windows would be removed. Mr. Carello confirmed that they would be taken out. He is proposing to place the new window signs higher to allow them to be seen over the top of vehicles parked in front of the building.

Chairman Rhode asked if there was any lighting proposed for the signs. Mr. Carello stated there would be no lighting.

Chairman Rhode asked if there were any additional comments or questions from the commission. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. The wall sign is to be slid north so as to be symmetrical with the existing *Scherer Stove* sign. The two signs shall be aligned at the bottom.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	ABSENT
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

ITEM 3 Application #19-219: 170 South Main Street, GLEASON’S, for a Historic Alteration to replace front door, remove awnings, and paint brick area of the facade.

Patrick Gleason represented the application. He would like to replace the existing, residential, “80’s style” door with an actual restored, antique door. He also proposes to remove the awning and paint the brick area of the facade.

Chairman Rhode inquired about the holes left behind after removing the awning. Mr. Gleason stated that they would be patched.

Vice Chairman Taylor asked about paint colors for the door and the brick area, and whether the masonry above the brick would remain the same. Mr. Gleason provided a sample of the “blonde” yellow color proposed for the brick and described the paint for the door as a dark brown. He is

planning to replace the area above the brick in a similar masonry material and would replace the flashing as well.

Mr. Gleason requested to add two additional items to the application. He wishes to add an exterior hanging light and replace the front window with a fold-in style window.

Chairman Rhode asked about the purpose of the fold-in style window. Mr. Gleason explained that it would be for fresh air; there would be no stools placed outside.

Mr. Brown inquired about the location of the hanging light. Mr. Gleason provided a photo of a hanging style fixture that he is proposing for the area between the door and window.

Commissioner Ayers noted that the brick area of the façade is not original. Mr. Gleason confirmed.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. The front window will be replaced with a fold-in style window.
2. A light fixture will be added between the window and door.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	ABSENT
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

ITEM 4 Application #19-243: 470 North Main Street, FARMERS INSURANCE, for Architectural Review to install a ground sign and display commercial flag.

The property was cited displaying two commercial flags and installing an un-approved wall sign.

Mike Stasko, the property owner, represented the application. He would like to keep one of the flags and use the currently-displayed wall sign signboard to construct a ground sign. He stated that this is the same sign that was approved for his previous location on South Main Street. The sign would be mounted to 4x4 wooden posts, wrapped in vinyl.

Vice Chair Taylor prefers to see caps on the posts in the same white color. He feels this would result in a more finished look.

Chairman Rhode asked about lighting for the ground sign. Mr. Stasko confirmed that it would be lit and on a timer. Mr. Brown asked whether it would be ground lighting or above. Mr. Stasko said it would be ground lighting.

The one commercial flag that Mr. Stasko proposes to keep is to help identify the driveway. It will not be lit. Vice Chairman Taylor asked if the flag would be outside every day. Mr. Stasko said that it would only be displayed as the weather permits. Mr. Brown informed him that ordinance dictates that it can only be displayed during hours of operation.

Vice Chairman Taylor feels that the flag is inappropriate in a residential neighborhood. Commissioner Ayers agreed.

Chairman Rhode recommended splitting the ground sign and commercial flag into two separate applications for voting purposes. After asking if there were any additional comments or questions from the commission, he asked for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application for the ground sign (Application #19-243A) as submitted and presented with the following conditions:

1. The sign is to be mounted on 4x4 posts with white caps.
2. Ground lighting shall be on a timer.

Commissioner Kantz seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	ABSENT
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

Chairman Rhode asked for a motion on the commercial flag sign (Application #19-243B)

Commissioner Ayers moved that the Planning Commission Deny the application for the commercial flag as submitted and presented.

Commissioner Kantz seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	ABSENT

Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

Mike Stasko questioned why he could not be allowed a commercial flag if it is permitted by zoning.

Chairman Rhode questioned whether a commercial flag was permitted in a residential zone district. Upon review of the zoning ordinance, it was determined that commercial flags are only permitted in commercial districts. (§ 850-69.B of the Zoning Ordinance “Flags and banners.”)

ITEM 5 Application #16-017C: 205 Lakeshore Drive, CANANDAIGUA FINGER LAKES RESORT Architectural Review amendment to garage design approved on February 12, 2019.

Shawn Corneal, from Eastern Hospitality, represented the application. The proposed amendment includes a change to the elevation for a mechanical tower above the elevator. The height of the northwest corner of the building would be 25 feet. It was last approved at 17 feet in February of this year.

Chairman Rhode asked if they had considered other alternatives or if an elevator is required. Mr. Corneal explained that the elevator is not a requirement, but strictly for convenience.

Vice Chairman Taylor asked the type of elevator to be installed. Mr. Corneal described it as a pulley system with a motor. Vice Chair Taylor asked if a piston type design was a possible option. Mr. Corneal feels that would not be a good choice because they are known to leak and are noisy.

Commissioner Turchetti confirmed that only the corner of the structure where the elevator is located would be raised. Chairman Rhode asked if there would be any views from Lakeshore Drive of the elevator with the proposed projection. There has been some concern about blocking the viewscape. Mr. Corneal explained that the additional elevation requested is minimal, as it is only about 10’ in width.

Chairman Rhode noted that the diagonally cut window along the ramp in the south elevation is still in the newly submitted plans, although it was to be removed with the amended design that was approved in February 2019. Mr. Corneal said this was an error – the diagonal window will not be included.

Chairman Rhode asked whether the window openings would be trimmed. Mr. Corneal verified that they would be trimmed inside and out with 5/4 solid vinyl; the same color theme as the main building.

Chairman Rhode asked if there were any other comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. The trim will be 5/4 vinyl, in the same color as the trim of the main building.
2. The one diagonally cut window shall be removed.

Commissioner Turchetti seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	ABSENT
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

ITEM 6 Application #19-244: 336 North Main Street, CHENEY LAW FIRM, for Historic Alteration to replace the existing wall signs and awnings.

Don Cheney, owner of the Cheney Law Firm, represented the application. The existing Howard Hanna signs will be replaced, same size and location. The proposed colors of the signs will be blue and gray. Both awnings are to be replaced, including the adjacent storefront (Crane Realty). They will be a solid blue fabric.

Chairman Rhode asked if there were any proposed lighting changes. Mr. Cheney explained that the lighting would remain the same. There is currently down-lighting on a timer. Chairman Rhode prefers the timer to be set to not allow the lights on past 11:00 p.m.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. The sign lighting will not be lit past 11:00 p.m.

Vice Chairman Taylor seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	ABSENT
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

ITEM 7 Application #19-246: 130 Howell Street, JOHN and DOROTHY WILSON, Historic Alteration to install hand rails on the front steps, to install a fence along the eastern property line, and to install three entrance gates.

Dorothy Wilson, the homeowner, represented the application. She said the front steps on Howell Street have never had handrails, but she feels this is unsafe and proposes to have handrails manufactured that match the porch. She is also proposing a fence along the eastern property line with three entrance gates for privacy and security.

Chairman Rhode inquired about the type of fencing. Mrs. Wilson stated that it would have the appearance of wrought-iron, but is actually made of aluminum.

Chairman Rhode asked if the gates would be freestanding or attached to the stone wall. Mrs. Wilson explained that the entrance gates would be mounted on posts, but unattached to the wall.

Commissioner Ayers asked if the installation of the fence would require any changes to the existing hedges. Mrs. Wilson said no hedges would be disturbed.

Commissioner Kantz asked if the eastern fence would be visible from the street. Mrs. Wilson said it would be somewhat visible, but is similar to the existing fence at 152 Howell Street.

Chairman Rhode noted that traditionally, wide steps such as these did not have railings. Simple metal pipe railings would be less obtrusive and could easily be removed. Commissioner Kantz believes that the proposed railings attached to the wooden steps could also be removed.

Mr. Brown asked if the top baluster would be attached to the existing hand rail. Mrs. Wilson said no, they were not planning to attach them. Chairman Rhode said they would be less obtrusive if left unattached.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Beyer seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	ABSENT
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

WORK SESSION: Parkwood Subdivision

Andrew Spencer of B&E Associates, representing Midland Management Group, was present with a revised site plan of the Parkwood subdivision; an unbuilt subdivision originally approved in 1989 for 32 lots on 12 acres north of Chapel Street. He explained that the project would now comprise 22 acres, with 10 additional adjacent acres under contract from the Frascas. He said the Frascas would retain one acre with two flag lots out to Chapel Street.

The project falls within two zoning districts: R-1A and R-1B. R-1A requires a 10,000 square foot lot minimum and R-1B requires 6,500 square feet. The two attached units comply with this requirement; however, the three-unit structures do not comply with zoning and would require a Use Variance from the Zoning Board of Appeals. Mr. Spencer discussed another possible avenue may be to rezone this property with City Council as a Planned Unit Development.

There would be a total of 73 living units. There are 23 proposed two-unit buildings and 9 proposed three-unit buildings.

Mr. Brown confirmed that these would be similar to the single family attached homes currently on Stewart Place; two units, side by side with a property line down the middle. The homeowner would own the property. There would be no common ground and no need for a Home Owners' Association. The dedicated streets would be maintained by the City.

There is a drainage channel that runs north/south 100 feet or so from the property. There is also a wetland on the adjoining property and there are small portions of the wetland that do come into the site. There was a wetland delineation done two years ago that is valid for five years. It indicates the areas that cannot be developed. There is one small wetland that occurs in an area where the roadway would need to come in. A nationwide permit would need to be obtained to allow fill-in of that wetland.

Utility connections are available on Spencer Lane and also along Chapel Street.

Chairman Rhode and Commissioner Beyer expressed concern over the impact on traffic in the area of Canandaigua Academy. Mr. Brown stated that there have also been concerns expressed from current residents on Chapel Street. Some are unhappy with the prospect of development in their back yards. Some have expressed concern over drainage issues and traffic congestion. Mr. Spencer explained that these are all issues they are familiar with and will be reviewing and addressing prior to the official submittal. He believes the drainage plan will likely improve the situation for the residents on Chapel Street because storm water that is flowing across the site would be collected and conveyed to a true storm water management area.

Chairman Rhode believes that access to Main Street would alleviate a lot of concern. Mr. Spencer said they were unsuccessful in obtaining property owned by RG&E which would provide that access. Chairman Rhode said the city could also provide access with an easement or a new road.

Commissioner Ayers inquired about any planned traffic devices. Mr. Spencer explained that the initial plan is for a stop sign until they complete a review of trip generation to determine if anything more than a stop sign is warranted.

Commissioner Ayers questioned the appeal of the middle units in the three-unit buildings. Mr. Spencer explained that there are sky lights planned to provide natural light and compensate for the lack of windows on two sides.

Vice Chairman Taylor asked if each home would have a garage. Mr. Spencer confirmed that each would have an attached garage. Mr. Brown explained that zoning restricts the location of the garage; it cannot be in front of the main structure.

Commissioner Ayers asked if sidewalks would be provided. Mr. Brown explained that it is a city requirement that there are sidewalks on both sides of city streets. Vice Chairman Taylor expressed concern about who would be responsible for maintaining the sidewalk on the undeveloped side of the one-sided street. Mr. Spencer said there is the possibility of keeping that road private which would eliminate that requirement.

Vice Chairman Taylor asked if there would be front porches on these homes, as he feels they are much desired by homeowners. Mr. Spencer said they would be rear porches. He can provide renderings of the house designs.

MISCELLANEOUS

Vice Chairman Taylor reported on his attendance at the Comprehensive Plan Committee. They are addressing the mixed-use zoning on South Main Street. The Lakefront area is to be discussed at the next meeting on August 19th.

ADJOURNMENT

Vice Chairman Taylor moved to adjourn the meeting at 9:26. Commissioner Turchetti seconded the motion which carried with a unanimous voice vote (6-0).

Richard Brown
Director of Development & Planning

Torsten Rhode
Planning Commission Chairman